

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Chapter 13

-----X Case No. 12-13981-shl

In re

MEL COOPER,

Debtor.

-----X

ORDER DISMISSING CASE

Upon the application of CADLEROCK JOINT VENTURE, L.P. (“CadleRock”), a creditor herein, dated October 10, 2012, and CadleRock having demonstrated that the debtor has previously filed Chapter 13 cases, including Case No. 11-13190 filed on July 1, 2011 which was dismissed on September 20, 2011; Case No. 12-12418 filed on June 1, 2012 which was dismissed on September 7, 2012; Case No. 12-13809 filed on September 5, 2012 by the debtor’s entity, Imperial Capital, LLC, which was dismissed on November 16, 2012, and the order having previously been entered confirming the that the no bankruptcy stay was in place for property located at 721 Fifth Avenue, and CadleRock and Chapter 13 Trustee having established that the debtor is not eligible to be a debtor under Chapter 13 as the debtor fails to meet the criteria set forth in 11 U.S.C. § 109(e), and the debtor having appeared pro se at a hearing on December 6, 2012 at which time it was explained to him that he did not qualify for Chapter 13 because, Inter alia his schedules listed unsecured debt of \$5 million, and the debtor failed to oppose the Cradlerock’s motion to dismiss or appear at the subsequent hearing on the motion on January 10, 2013, it is hereby

ORDERED, that the above-captioned case is hereby dismissed with prejudice; and it is further

ORDERED, the debtor is hereby prohibited from filing a bankruptcy petition within one year after termination of this case.

Dated: New York, New York
February 6, 2013

/s/ Sean H. Lane
UNITED STATES BANKRUPTCY JUDGE